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IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Richard D. Cappels Sr. et al.
SERIAL NO.: 09/160,503
FILING DATE: September 24, 1998
TITLE: Apparatus and Method for Handling Special Windows in a Display
EXAMINER: Joseph, T.
GROUP ART UNIT: 2173
ATTY.DKT.NO.: P2267/PA1021

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Commissioner for Patents
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Date: November 27, 2000

David Lewis

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

PETITION TO WITHDRAW THE FINALITY OF THE REJECTION AND TO
COMPLY WITH 37 CFR §1.104

In response to the Office Action mailed July 27, 2000 (paper # 9), please consider
the following grounds for petition:

12/01/2000 CV0111 00000094 09160503

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Technology Center 2600

In the Office Action mailed July 27, 2000, the Examiner did not respond to the Applicants' remarks (filed June 12, 2000, starting with the paragraph bridging pages 11 and 12 and ending with the paragraph bridging pages 12 and 13) regarding the rejection of claims 5-10, 12, 25-30, 32 and 41-43 over McLaughlin et al. as applied to claim 4 further in view of Shafer, despite the extra emphasis given to these arguments by again referring to them in the summary on page 14 of the response filed June 12, 2000. Consequently the Applicants respectfully submit that the Examiner has not complied with MPEP §§ 707 and 707.07(f) and 37 CFR §1.104, thereby rendering the Office Action incomplete. It logically follows that an incomplete Office Action cannot properly be made final. The Applicants therefore respectfully request that the finality of the rejection be withdrawn and that either the rejection of the above-identified claims should be withdrawn or the Examiner should explain why he disagrees with the remarks of the Applicants' response of June 12, 2000.

Respectfully submitted,

Richard D. Cappels, Sr. et al.

Date: November 27, 2000

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